PETITION FOR SPECIAL HEARING

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

an amendment to the site plan in Case #83-154A and #4298 to allow the conversion

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):

(Type or Print Name)

DON FILLETI

7815 Seaside Road

Dundalk, MD

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

AMOUNT \$ 100.00

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property

M=12.8-11

4298-X

which is the subject of this Petition.

FRED FILLETI

Name, address and phone number of legal owner, con-

Jerauld A. Berlin

tblic hearing be had before the Zoning

Office Building in Towson, Baltimore

ng Commissioner of Baltimore County.

tract purchaser or representative to be contacted

of a full service station to a gas and go operation

Property is to be posted and advertised as prescribed by Zoning Regulations.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Contract Purci

City and State

BALTIMORE COUNTY, MARYLAND

MISCELLANEOUS CASH RECEIPT

OFFICE OF FINANCE - REVENUE DIVISION

8 B 684****19996:a 322kF

Paul Lea, P.E.

FILLETT PATITIONS

Attorney for Petitioner

(Type or Print Name)

JERAULD A 13 ELL IN

Attorney's Telephone No.:

FOR FILING FOR FOR SOUNHEARING # 339

VALIDATION OR SIGNATURE OF CASHIER

Petitioners

(2020 Merritt Boulevard) 12th Election District 7th Councilmanic District Fred Filleti, et al

* * * * * * * * * * *

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 89-11-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the site plan in Case Nos. 83-154-A and No. 4298 to permit the conversion of a full service station to a gas and go operation, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Jerauld A. Berlin, Contract Lessee of the subject property, appeared and testified. Also appearing on behalf of the Petiticn were Paul Lee, of Paul Lee Engineering, Inc. There were no Prot-

Testimony indicated that the subject property, known as 2020 Merritt Boulevard, is zoned B.R.-C.N.S. and consists of approximately .50 Acres. The subject property has been used as a service garage since 1957 at which time a special exception was granted for said use in Case No. 4298. Thereafter, in Case No. 83-154-A, a variance was granted to permit a Lear yard setback of 0 feet in lieu of the required 30 feet to allow for the construction of an addition to the existing automotive service sta-Testimony indicated that said addition was never constructed. Mr. Berlin testified that he leased the property in September 1987. Previous to that, the property had been vacant since February 1987. Mr. Berlin testified that he has advertised regularly in an effort to employ mechanics to operate the service garage portion of the business without sucHe is therefore requesting permission to convert the service sta-

After a review of the testimony and evidence presented, all of which was uncontradictory, it appears that the relief requested in the special hearing would be in strict harmony with the spirit and intent of the B.C.Z.R. and would not adversely affect the health, safety, and general welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of July, 1988 that the Petition for Special Hearing to approve an amendment to the site plan in Case No. 83-154-A and No. 4298 to permit the conversion of a full service station to a gas and go operation, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> 2) The variance granted in previous Case No. 83-154-A is hereby rescinded.

> > O- Milas terrania ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 12 Th Posted for: Spacial Heaving Petitioner: Fred Fill eti, et of

Location of property: Sw/c Marrit Blud. + Ellers Are 2020 Monitt Blod confront of Signer Foring Monitt Blud, approx. 3 Fre You dway,

Number of Signs:

Petition for Special Hearing
Case number 89-11-SPH
SW/C Merritt Blvd. and Eiler
Avenue (2020 Merritt Blvd.)
12th Election District
7th Councilmanic District
Petitioner(s):
Fred Fillet, et al
Contract Assess

Contract Agent:
Jerauld A. Berin
Hearing Date: Wednesday,
July 20, 1968 at 9:00 a.m.

Special Hearing: An amendment to the site plan in Case #83-154-A and 4298 to allow the conversion of a full nervice station to a gas and go operation.

operation.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing act above or presented at the hear-

L ROBERT HAINES

CERTIFICATE OF PUBLICATION The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

ing on June 23, 1988.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

July 28, 1988

Mr. Fred Filleti 7815 Seaside Road Dundalk, Maryland 21222

RE: PETITION FOR SPECIAL HEARING SW/Corner Merritt Boulevard and Eilers Avenue (2020 Merritt Boulevard) 12th Election District; 7th Councilmanic District

Dear Mr. Filleti:

Case No. 89-11-SPH

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

a MNastawin ANN M. NASTAROWICZ Deputy Zoning Commissioner

Dennis F. Rasmussen

AMN:bis for Baltimore County Enclosure cc: Mr. Jerauld A. Berlin 2020 Merritt Boulevard, 21222

People's Counsel

Please be advised that 98.70 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. It is posted by this office until the day of the hearing itself.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

MISCELLANEOUS CASH RECEIPT

CO7*****9870:a &2005

Date: June 29,1988

Dennis F. Rasmussen County Executive

Paul Lee Engineering Inc. 304 W. Pennsylvania Avo. Towson, Maryland 21204 301-821-5941 DESCRIPTION 2020 MERRITT BOULEVARD

12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the south right of way line of Eilers Avenue, 30 feet wide, and the west right of way line of Merritt Boulevard, 140 feet wide, thence running with and binding on said west right of way line (1) South 31°48'12" West - 215.57 feet to the north right of way line of the Patapsco Neck Branch Railroad Spur, thence running with and binding on said north right of way line (2) North 64°46'18" West - 84.14 feet, thence leaving said north right of way line of the Patapsco Neck Branch Railroad Spur (3) North 00°58'18" West - 141.59 feet to the south right of way line of Eilers Avenue, 30 feet wide, thence running with and binding on said south right of way line (4) North 89°01'42" East - 190.56 feet to the place of beginning. Containing 0.513 acres of land, more or less.



6

TOWSON, MD., 5 Quane 23, 1988 - successive weeks, the first publication appear-

5. Zete Orlan

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 Mr. Jerauld A. Ferlin 2020 Merritt Blvd. Baltimore, Maryland 21222 Petition for Special Hearing CASE NUMBER: 89-11-SPH SM/C Perritt Blvd. and Eilers Avenue (2020 Marritt Blvd.) 12th Election District - 7th Councilment Petitioner(s): Fred Filleti, et al Contract Agents Jersuld A. Berlin HEARING SCHEDULED: MEDNESDAY, JULY 20, 1988 at 9:00 a.m.

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

BALTIMORE COUNTY, MARYLAND No. 52948

n and post set(s), there
e for each set not OFFICE OF FINANCE - REVENUE DIVISION

J.O. 88-026 April 18, 1988

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

June 3, 1998

NOTICE OF HEARING



Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing CASE NUMBER: 89-11-SPH SM/C Marritt Blvd. and Eilers Averum (2020 Marritt Blvd.) 12th Election District - 7th Councilments Petitioner(s): Fred Filleti, et al Contract Agents Jersuld A. Berlin HEARING SCHEDULED: MEDNESDAY, JULY 20, 1988 at 9:00 a.m.

SPECIAL HEARING: An amendment to the site plan in Case #83-154-A and 4298 to allow the conversion of a full service station to a gas and go operation.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Baltimore County Fire Department

494-4500

Paul H. Reincke

Gentlemen:

J. Robert Haines

Towson, MD 21204

Item No.: 389

Zoning Commissioner

Office of Planning and Zoning

Baltimore County Office Building

Re: Property Owner: Fred Filleti, et al

of Public Works.

Location: SW/C Merritt Blvd., & Eilers Avenue

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

* (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall

comply with all applicable requirements of the National Fire Pro-

tection Association Standard No. 101 "Life Safety Code," 1976 edition

Zoning Agenda: Meeting of 5/3/88

Towson, Maryland 21204-2586

Mr. Jerauld A. Berl'n Mrs. K. Swigert/Motor Fuel Inspection Division Office of Planning & Zoning Towson, Maryland 21204 494-3253

April 28, 1988



Re: Merritt Texaco 2020 Merritt Boulevard 12th Election District

Dear Mrs. Swigert:

Mrs. K. Swigert

P.O. Box 1751

Motor Fuel Inspection Division

Annapolis, Maryland 21404

Please be advised that Jerald A. Berlin, operator of the above referenced business, has filed a Petition for Special Hearing to allow conversion from a full service station to a gas and go operation. The petition request was accepted on April 22, 1988 as Item No. 389.

The normal processing time for petitions is about three months. As such, the hearing on this case will not be held until late July. Mr. Berlin requested that I advise you of such in the hope that you will withhold any of your enforcement procedures until after the case is held and determined.

I will add your name to his case file so that you will be notified of the hearing date and receive a copy of the decision.

if you have any questions, please feel free to call me at 494-3391.

Very truly yours,

JAMES E. DYER Zoning Supervisor

BY: Christine K. Rorke Planning & Zoning Associate III

CKR:cer

cc: Jerald A. Berlin Case File Item No. 389

BAL MORE COUNTY, MARYL ND

INTER-OFFICE CORRESPONDENCE

TO J. Robert Haines
Zoning Commissioner

Date June 23, 1988

FROM P. David Fields, Director
Office of Planning and Zoning SUBJECT Zoning Petitions #89-11-SpH, 89-18-A

> There are no comprehensive problems requiring comments on these petitions.

PDF/jat cc: Shirley Hess, People's Counsel J. G. Hoswell Zoning File

cc: Mr. Jerauld A. Berlin



ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. Fred Filleti and Mr. Don Filleti 7815 Seaside Road Dundalk, Maryland 21222

Bureau of Engineering

Department of Traffic Engineering State Roads Commission

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

RE: Item No. 389 - Case No. 89-11-SPH Petitioner: Fred Filleti, et al Petition for Special Hearing

Dear Mr. Filleti:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

July 11, 1988

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Jana & Dyelde Chairman Zoning Plans Advisory Committee

LOGAN ELEM.

SCHOOL'

JED:dt

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Ave. Towson, Maryland 21204

DR-5.5 COMMUNITY ! COLLEGE :DR:10:5 SCALE: 1- 1000. MARINE C TERMINAL Q (MARYLAND PORT ≥ - AUTHORITY)

89-11-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this ______ day of ______, 1988 .

Petitioner <u>Fred Filleti</u>, et al Received by: <u>James E. Dyer</u> Chairman, Zoning Plans Advisory Committee

Enclosures

() 6. Site plans are approved, as drawn.

prior to occupancy.

() 3. The vehicle dead end condition shown at ____

() 7. The Fire Prevention Bureau has no comments at this time

* NFPA 30, 1981 Ed., Sec. 7-8.4.3, shall apply. All self-service stations shall have at least one attendant on duty while the station is open, to the public. The attendant's primary function shall be to /jl supervise, observe & control the dispensing of class I liquids while said liquids are actually being

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

0/0/88 Date

Offi Coun	ce ty	Commissioner of Planning and Zoning Office Building Maryland 21204
Zoni	nø	Item # 389, Zoning Advisory Committee Meeting of May 3 1988
Prop	eri	ty Owner: Fred Filleti et al
Loca	tio	on: 5W/C Merritt Blvd. + Eilers Ave. District 12
Wate	r S	Supply <u>netro</u> Sewage Disposal <u>netro</u>
		TO ARE AS FOLLOWS.
)	Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review
, Ç		Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Alt Management 494-3775, to obtain requirements for such installation/s before work begins.
(A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other appropriate the exhausts into the atmosphere.
Ç		A permit to construct from the Bureau of Air Quality Management is required for any characteristics.
(Prior to approval of a Building Permit Application for renovations to existing of construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of
		Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathbouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau and Species 1 Community Services 494-3811.
(Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County
(If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
		Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775
)	Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
()	Soil percolation tests, have been, must be, conducted. () The results are valid until () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
C)	Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimor County Standards must be drilled.
(>	In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
•		Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
. (If submission of plans to the County Review Group is required, a Hydrogeological Study and as Environmental Effects Report must be submitted.
C)	X)	others Waste pil tanks must be remived or properly abandoned and backfilled unless placed into immedia
•		use.
		$\sim \sim $

Karen Oh. Oherrey

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

May 23, 1988



Dennis F. Rasmussen County Executive

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 362, 381, 382, 383, 384, 385, 386 and 389.

Very truly yours.

Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/RF/pml-b

MAY 26 1988

ZONING OFFICE

